

economic experts and how courts and civil procedure address disagreements between and reliability of them. The mission is clear: to assist the judge with technical evidence. While the cynosure of attention is on party-appointed experts where reliability gains greater relevance, there is no more than an honourable mention of court-appointed experts. New Zealand, for example, allows lay members to assist the judiciary. The Commerce Act 1986 provides for the appointment of lay members to the High Court for Commerce Act matters to assist judges in particular cases. Lay members play a key role in ensuring that the expert evidence on complex competition issues is properly understood, tested and assessed by the High Court. The authors of the book dismiss this model for reasons not altogether clear, preferring party-appointed experts for reasons not wholly unmeritorious. Scarce literature prohibits a meaningful evaluation of the use of lay members, however.

The reader will undoubtedly accept, having read the book, that law and economics is a complex matter of cross-pollination. In fact, such is the complexity that the analysis of law applying methods of economics is now an entire discipline in law school curricula around the world. Associations and academic centres exist entirely dedicated to this subject. Law reviews and journals publish exclusively in this area. With this in mind, the authors have done an outstanding job in explaining the major areas of competition law although their level of explanation is anything but primary or introductory. As businesses strive or struggle to survive and maximise profits through various strategies in an increasingly competitive world, so too are they testing the elasticity and expanding the frontiers of competition laws. As a result, the challenge, as the authors say, is how to use economic evidence “more effectively”.

NILAY B. PATEL

*Basic Documents on International Investment Protection.* By MARTINS PAPARINSKIS. [Oxford: Hart Publishing, 2013. 1032 pp. Paperback £52. ISBN 978-1-84946-136-8.]

THIS collection encompasses documents essential for an understanding of the historical background to this area, documents covering international investment protection rules, international investment protection dispute settlement, and other documents relevant for the study and practice of international investment law. The documents relevant to the historical background have been exhaustively collected and includes treaties dating back to 1886. This chapter allows the reader to track changes in important provisions, such as those concerned with full protection and security, expropriation, and fair and equitable treatment over time. Such historical documents are not otherwise readily accessible, even on the internet. It is an impressive, meticulously gathered collection of documents relevant to investor-state disputes.

As for the documents concerned with the rules of international investment protection, Dr Paparinskis has collected a comprehensive range of documents that are regularly needed for the interpretation of treaties, understanding the rules concerning responsibility of states and diplomatic protection, as well as the major multilateral investment protection agreements, such as the Energy Charter Treaty, NAFTA, and others that are more recent. This chapter contains recent bilateral model treaties and relevant investment protection treaties,

largely involving on the one side the United Kingdom, the United States of America, the Netherlands, Germany, and France, and on the other side the countries of South America, Central Asia, Eastern Europe, and African Countries. This chapter offers the ideal additional material needed while reading a leading case in investment law, saving the reader the challenge of picking and choosing the right document from the internet. Additionally, the book contains the latest versions of the model bilateral investment treaties of major capital importing and capital exporting countries.

Concerning international investment protection dispute settlements, Paparinskis has gathered the rules of ICSID, UNCITRAL, and other essential arbitration institutions that are relevant in the field of investment dispute settlement. This chapter on the whole contains rules that are relevant in ensuring that the parties receive an impartial and independent tribunal and a fair procedure. Paparinskis has collected not just the current version of the arbitral rules but also other versions; those of the International Chamber of Commerce, and of the UNCITRAL arbitral rules, for example. The book contains also the most essential IBA (International Bar Association) guidelines, relevant to evidence and conflict of interest. As with commercial arbitration, the questions of impartiality and independence lie at the core of international investment protection.

The arrangement of the book is very easy to follow and understand. Its organisation allows the reader to find the right provisions readily, even within the vast range material. Although it is true that most of the material is in theory accessible on the internet, it is often not as easy as one might expect to find the relevant material on a governmental website. In particular, the search for an older version or an old document may be exhausting. Also, some of the documents created prior to the decades in which each desk contained a workstation exist only as scanned images. Given that only some of the lecture halls in the dungeons of some buildings, even new libraries built by star architects, may lack reliable internet access, I wish that Dr Paparinskis had collected and published this collection earlier! To conclude, *Basic Documents on International Investment Protection* can be warmly recommended for use as a companion volume to courses on international dispute settlement and investment protection law. It would also be most useful as a practitioners' handbook.

DIMITRIJ EULER  
UNIVERSITY OF BASEL

*Mediating International Child Abduction Cases: The Hague Convention.*

By SARAH VIGERS. [Oxford and Portland, Oregon: Hart Publishing, 2011. 121 pp. Hardback £47. ISBN 978-1-8494-6181-8.]

THIS book explains how a discrete discipline of 'Convention mediation' can and ought to be developed. It acknowledges the gap between the general endorsement of mediation deployed in the context of proceedings under the *Hague Convention on the Civil Aspects of International Child Abduction* (1980) and relatively limited practice. Vigers focuses on three principal questions (Chapters 2, 3 and 4 respectively), derived from questionnaire responses sent to 60 Central Authorities and other experts, including mediators and judges: what is meant by Convention mediation; how can a mediation process fit within the